

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALDRIC GRANDY,

Plaintiff,

- against -

BAC HOME LOAN SERVICING, LP,

Defendant.

ORDER

10-CV-4278 (SLT) (MDG)

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GO, United States Magistrate Judge:

The Honorable Sandra L. Townes has assigned this case to me for all pretrial purposes. Enclosed is a copy of the "Individual Practices of Magistrate Judge Marilyn D. Go." Both plaintiff and defendant are required to follow them with one exception: *pro se* parties are automatically exempt from mandatory electronic filing. Parties represented by counsel in *pro se* cases must file all submissions electronically and mail the submissions to the *pro se* litigant. Plaintiff should provide a copy of this Order and the enclosed rules to defendant along with the summons and complaint.

The Court's records reflect that the complaint in this action was filed on September 20, 2010. Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

After every defendant is served, the back of the original summons must be completed indicating how service was made. The original summons (the one with the court's raised seal) along with any other proof of service (such as a process server's affidavit) is returned to the Clerk's Office for filing. If service cannot be made by the January 18, 2011 deadline, plaintiff may file a request for leave to extend the time for service pursuant to Fed. R. Civ. P. 4(m).

Accordingly, if service is not made upon the defendant by January 18, 2011, or plaintiff fails to show good cause why such service has not been effected, this Court may recommend that the Court dismiss this action without prejudice.

Also, Plaintiff must advise the Clerk of Court of any change of address or telephone number. Failure to keep the Court informed of plaintiff's current address means the Court will not know where to contact plaintiff and may result in dismissal of the case. For information regarding court procedures, plaintiff may contact the Pro Se Office at the United States Courthouse by calling (718) 613-2665.

SO ORDERED.

s/

MARILYN D. GO
United States Magistrate Judge

Dated: September 23, 2010
Brooklyn, New York